

New Rules Cut Confessions by Half, DA Says

Specter Details Results of Court Ruling to Probers

By a Staff Correspondent

Washington, July 22 — The number of confessions obtained by Philadelphia police has been cut in half by the recent decisions of the U.S. Supreme Court, Philadelphia District Attorney Arlen Specter testified today.

Specter said the number of confessions and incriminating statements have dropped sharply as each new decision is handed down.

"It is not possible to obtain precise statistics on how many of these cases have been ~~or~~ be lost without incriminating statements, but it is definite that a substantial number will result in improper acquittals," Specter told the U.S. Senate Subcommittee on Constitutional Amendments.

90 Percent Confessed

Specter said that prior to June 22, 1964, when the high court ruled in the Escobedo case that a defendant has a right to see his lawyer when he makes such a request, Philadelphia police obtained "incriminating statements from 90 percent of those arrested."

After Escobedo, Specter said, the number giving incriminating statements dropped to 80 percent.

The Russo decision followed on May 20, 1965, in which the U.S. Third Circuit Court of Appeals ruled that defendants must be warned of their right to counsel. The number of incriminating statements obtained by police in Philadelphia dropped to 68 percent, he continued.

Drops to 33 Percent

Then, Specter said, when the U.S. Supreme Court affirmed Russo and ruled last June 13 that not only do police have to warn a defendant of his right to a lawyer, but provide him with free counsel if he is indigent,

"approximately 58 percent of those arrested have refused to give statements."

Specter said that in the latest detailed figures available in Philadelphia, 75 of 140 persons arrested during the week of June 19 refused to make any statement.

This followed the so-called Miranda case in which the U.S. Supreme Court ruled that a suspect must be warned of both his right to remain silent and his right to a lawyer before being questioned by police.

During the week of June 26, he said, the number of those refusing to confess increased to 89 of 138 arrested and during the week of July 3 to 87 of 149 arrested.

"Such experience, along with many other factors, should be considered by the Supreme Court in its future decisions," Specter added. "Among other factors, there should be detailed studies on the infringement on the rights of victims likely to be caused by releasing the guilty in the light of the patterns of recidivism."

Citizens' Rights Ignored

Specter said that from his experience as district attorney, "many people believe that the rights of the law-abiding citizens are being ignored by the (Supreme) court."

"The wave of crime in the big cities in recent years has terrorized communities such as Philadelphia. This attitude of insecurity is accentuated by court decisions which make it more difficult for the police to gather evidence and make it more difficult for the prosecution to secure convictions of the guilty."

"Such factors need not be conclusive in the deliberations of the Supreme Court, but they ought to be considered beyond the individual experiences of the justices of the court."